

A meeting of the City Council was held on Tuesday the 18th day of February 2020.

Present were Councilmen Brown, Carsrud, Lundvall, McLeland, Montgomery, Neary, and Mayor Carter-King; City Administrator Davidson and City Attorney Reyes; Directors Cole, Henderson, Muzzarelli, and Wilde; Managers Lt. Wasson, Toscana, and Palazzari; City Clerk Staskiewicz.

Invocation and Pledge of Allegiance

Invocation was led by Deacon Kim Carroll of St. Matthew's Catholic Church. The National Anthem was performed by the Campbell County High School Choir, Conducted by Mandi Steele.

Approval of General Agenda

Councilman Lundvall made a motion to approve the General Agenda; seconded by Councilman McLeland. All voted aye. The motion carried.

Approval of Consent Agenda

Minutes

Pre-Meeting – February 4, 2020; Executive Session – February 4, 2020; Regular Meeting – February 4, 2020

Ordinance 3rd Reading - Consent

ORDINANCE NO. 3974

AN ORDINANCE APPROVING AND AUTHORIZING THE EXTENSION OF THE BOUNDARIES OF THE CITY OF GILLETTE, WYOMING, AND ANNEXATION OF A TRACT OF LAND KNOWN AS THE ASPEN HEIGHTS II ANNEXATION, ENTIRELY ADJACENT AND CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF GILLETTE, WYOMING, PURSUANT TO W.S. 15-1-403, AND ESTABLISHING A C-1, GENERAL COMMERCIAL ZONING DISTRICT, SUBJECT TO ALL PLANNING REQUIREMENTS

ORDINANCE NO. 3975

AN ORDINANCE TO AMEND THE DISTRICT ZONING MAP OF THE CITY OF GILLETTE, WYOMING, SOUTH 297.24 FEET OF LOT 2A, BETCHER II SUBDIVISION, CITY OF GILLETTE, WYOMING, FROM C-1, GENERAL COMMERCIAL DISTRICT TO I-1, LIGHT INDUSTRIAL DISTRICT. SUBJECT TO ALL PLANNING REQUIREMENTS

Bills and Claims

Absolute Auto, LLC, 199.75; Advance Auto Parts, 1,302.84; Albertsons, 50.00; AlSCO, 1,032.62; Alyshia Vigil, 20.00; American Engineering Testing Inc, 3,084.50; American Track Generations LLC, 7,447.30; Ameri-Tech Equipment Company, 223.19; Anixter Power Solutions, 1,866.30; Assure Co Risk Management & Regulator Compliance, 350.00; AVI Systems, 3,500.00; Banks, Janessa, 10.84; Bear Communications Inc, 2,584.00; Big D Sanitation, 13,162.50; Big Horn Tire Inc, 210.00; Big Horn Tire Inc, 429.00; Bighorn Hydraulics Inc, 530.87; BJ Nelson Inc/Nelson Auto Glass, 288.65; Black Cat Construction LLC, 11,146.02; Black Hills Wyoming LLC, 3,673.01; Blue Cross Blue Shield of Wyoming, 66,749.09; Blue Cross Blue Shield of Wyoming, 62,558.56; Blue Cross Blue Shield of Wyoming, 66,257.72; Blue Sky Ice, 1,943.00; Border States Electric, 28,174.23; Brian Roesner, 100.00; Burks, Jeremy, 14.79; Butcher, Cassidy, 166.39; Caden Dudley, 150.00; Campbell County Chamber of Commerce, 502.50; Campbell County Hospital District, 516.00; Campbell County Landfill, 842.25; Campbell County Sheriff, 250.00; Carl A. Theusen, 629.25; Carol Geis, 88.00; CBH Co-Op, 10,968.00; CenturyLink, 2,310.58; Christensen, Brett, 147.91; City Of Gillette, 6.50; City of Gillette, 100.00; City of Gillette - Petty Cash, 10.00; Collins Communications Inc, 41.67; Compasscom Software, 24,300.00; Cossitt, Brenda, 49.16; Craig Furman, 50.00; Crestview Improvement & Service District, 13.00; Crum Electric Supply Company, 154.65; Cues Inc, 231.95; Dads Truck and Auto LLC, 79.00; Dale Maurer, 50.00; Dana Kepner Company Inc, 1,531.00; Dave Lueras, 180.99; Dell Computer Corp, 930.72; Desert Mountain Corporation, 5,620.98; Direct Family Care, 345.17; DOWL LLC, 10,207.50; DRM Inc, 41,841.50; Duane Schmitz, 50.00; Edge Construction Supply, 84.00; Edge Electric, Inc, 682.30; Elbert, Denise, 85.17; Elvera Willadson, 75.00; Employment Testing Services Inc, 256.00; Energy Laboratories Inc, 707.25; Equipment Company of the Rockies, LLC, 3,294.68; Eternity Rentals, 116.99; Farmer Brothers Company, 262.80; Fastenal Company, 196.78; First National Bank of Gillette, 47,076.50; Flagshooter LLC, 610.48; Flow Tech Fueling, LLC, 622.50; Frandson Safety Inc, 277.00; Frontier Precision Inc, 769.00; Gades Sales Company Inc, 272.00; Galls, an Aramark Company, 56.00; GE Digital LLC, 11,618.56; Gillette Contractors Supply Inc, 1,189.40; GoodTimes Liquors, 4.99;

Government Finance Office Association, 1,930.50; Granicus LLC, 600.00; Gratiot, Tracy, 95.95; Gray Matter Systems, LLC, 15,707.37; Grossenburg Implement Incorporated, 203.72; GW Construction, LLC, 41,417.50; Hankinson, Nicole, 146.99; Hartley, Erica, 151.71; Hatcher, Jessica, 103.19; Hawkins Inc, 138.50; HDR Inc - US Engineering Accounts Receivable, 88,912.13; Homax Oil, 150.10; Homax Oil, 1,345.98; Home Fire Foods, 211.75; Hot Iron, 325.00; Houpt, Sherri, 120.75; HP Inc, 25,849.00; Inberg Miller Engineers, 4,750.50; Inland Truck Parts, 3,391.63; JB Storage Containers, 750.00; Jack's Truck Center Inc, 1,443.29; James Mahaffey, 300.00; James, Tim, 9.08; Jason Hall, 100.00; Jason Materi, 30.00; Jennifer Ivory, 50.00; John Aguirre, 73.72; Kadrmas Lee & Jackson Inc, 62,748.61; Karen Johnson, 115.49; Karson Coulter, 155.16; Keith Wilson, 75.00; Kmart Corporate Head Office, 21.18; Louise Carter King, 32.49; Mad Transportation And Towing LLC, 80.00; McColeman, Christina & Brandon, 55.52; McNeilus Truck & Manufacturing, 211.28; Michael Cole, 142.84; Michael Stulken, 50.00; Midland Implement Co Inc, 184.12; MII Life Insurance, Incorporated, 7,014.33; MII Life Insurance, Incorporated, 4,999.13; Modrell, Robbie, 36.95; Morrison Maierle Inc, 140,770.31; Mountain Peaks Diagnostics, LLC, 78.00; Mountain States Pipe & Supply, 10,260.00; Municipal Treatment Equipment, 82.80; Newell, Jordan, 182.87; Newman Signs Inc, 508.00; News Record, 6,899.00; Nold, Anthony, 153.30; Norco Inc, 1,074.52; Online Information Services Inc, 254.10; Parkin, Sally, 107.73; Parkside Apartments, 5.00; PCA Engineering Inc, 8,311.50; Percifield, Brian & Kristyn, 172.16; Postal Pros Southwest Inc, 1,219.31; Powder River Energy Corporation, 5,250.00; Powder River Heating & Conditioning Corporation, 7,310.87; Powers, Ken & Lori, 70.67; Praus, Jason, 18.83; Pro Force Law Enforcement, 2,212.25; ProElectric Inc, 9,978.13; Raisley, Travis, 121.55; Rasmussen, Cody, 169.14; Record Supply Inc NAPA, 1,304.42; Reid, Nikkie, 192.25; Rinehart, Brennon, 829.78; Rocky Mountain Business Equipment LLC, 742.15; Rogers, Dusty, 156.87; Rusk, Alyssa, 155.35; Ryland, Garrett, 121.51; S&S Builders LLC, 100.00; Signboss LLC, 375.00; Simon Contractors, 546.66; Source Office Products, 1,181.78; Souza, Lori, 156.15; Stewart, Dafondeau, 123.41; Strohkirch, Scott, 83.76; Sturtz, Tina, 81.87; Tantalus Systems Inc, 2,250.06; Terry Sjolín, 178.25; The Estate of Lisa Kaye Deherrera, 100.00; Thunder Basin Ford LLC, 356.07; Tim Carsrud, 30.90; Titan Machinery Inc, 3,375.77; Townsend, Lori, 132.10; Traffic Parts Inc, 1,095.00; Trecoby Services, 137.85; Tyler Technologies Inc, 145,520.00; Usabluebook, 144.38; Van Ewing Construction, 423,688.58; Verizon Wireless, 1,684.24; Verizon Wireless - Lert B, 50.00; Visionary Communications, 969.14; Waylon Rader, 20.00; Weathers, Drew, 155.49; Wesco Receivables Corp, 11,576.97; Western Stationers, 2,207.66; White's Frontier Motors, 454.71; Winn, Jeremy, 87.04; WYODAK Resources Development Corp, 37,009.68; Wyoming Association Municipalities, 230.00; Wyoming Dept of Transportation, 36,396.97; Wyoming Law Enforcement Academy, 115.00; Wyoming Marine, 89.67; Wyoming State Revenue and Tax, 26,051.80; Wyoming Supreme Court, 8,360.84; Wyoming Water Assoc, 500.00; WYOSTAR, 9,198.24; WYOSTAR, 123,750.00; Zivaro Inc, 14,151.15; Zivaro Inc, 1,353.60

Councilman Carsrud made a motion to approve the Consent Agenda; seconded by Councilman Neary. All voted aye. The motion carried.

Approval of Conflict Claims

Councilman Brown made a motion to approve a conflict claim for Council Member Carsrud in the amount of \$30.90; seconded by Councilman Lundvall. Councilmen Brown, Lundvall, McLeland, Montgomery, Neary, and Mayor Carter-King voted aye. Councilman Carsrud abstained. The motion carried.

Councilman Montgomery made a motion to approve a conflict claim for Mayor Carter-King in the amount of \$32.49; seconded by Councilman Brown. Councilmen Brown, Carsrud, Lundvall, McLeland, Montgomery, and Neary voted aye. Mayor Carter-King abstained. The motion carried.

Comments

Council Comments – Councilman Montgomery congratulated Dairy Queen for receiving the March *Champion for Hope* award from the Campbell County Prevention Council. Councilman Montgomery complimented the current AVA art exhibit by Photographer, J.P. Caffee, depicting various stories of homelessness and addiction.

Written Comments – City Clerk Staskiewicz informed Council of receipt of an email from Rusty Bell regarding liquor licensing, with an explanation that he could not attend this meeting.

Public Comments – Citizen, Bill Fortner, commented on funding for the Wastewater Treatment Facility. Mayor Carter-King asked Mr. Fortner to express his concerns during the discussion of the Wastewater Treatment Facility Improvements Project, as indicated on the agenda.

Other Comments – The Mayor and Council recognized Kerwin Burton, Development Services, Engineering Division, as the 4th Quarter P.R.I.D.E Award Recipient.

Mayor Carter-King proclaimed the month of March 2020 as Disability Awareness Month. Phil Grabrick provided statistical and historical information emphasizing the importance of disability awareness.

RESOLUTION NO. 2719

**A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION TO THE
OFFICE OF STATE LANDS AND INVESTMENTS FOR A LOAN THROUGH THE
CAPITAL CONSTRUCTION LOAN PROGRAM ON BEHALF OF THE
GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING
FOR THE PURPOSE OF THE CITY OF GILLETTE WASTEWATER
TREATMENT FACILITY IMPROVEMENTS PROJECTS.**

Councilman Carsrud made a motion to approve the foregoing Resolution authorizing the submission of a loan application to the Office of State Lands and Investments for a loan through the Capital Construction Loan Program on behalf of the governing body of the City of Gillette, Wyoming, for the purpose of the City of Gillette Wastewater Treatment Facility Improvements Projects; seconded by Councilman McLeland. Administrator Davidson explained the consideration. Citizen, Bill Fortner, expressed his concerns regarding indebteding the City in the current economy. All voted aye. The motion carried.

RESOLUTION NO. 2720

**A RESOLUTION AUTHORIZING UTILITIES DEPARTMENT STAFF TO
SUBMIT A LEVEL II FEASIBILITY STUDY APPLICATION TO THE WYOMING
WATER DEVELOPMENT COMMISSION TO STUDY WATER STORAGE
IMPROVEMENTS FOR THE CITY OF GILLETTE WATER SYSTEM**

Councilman Montgomery made a motion to approve the foregoing Resolution authorizing Utilities Department Staff to submit a Level II Feasibility Study Application to the Wyoming Water Development Commission to study water storage improvements for the City of Gillette Water System; seconded by Councilman Lundvall. Administrator Davidson explained the consideration. All voted aye. The motion carried.

Councilman Carsrud made a motion to approve a bid award for the Pavement Management System (PMS) 2020 Project to Simon Contractors in the amount of \$2,646,345.65 (1% Project); seconded by Councilman Lundvall. Administrator Davidson explained the consideration. All voted aye. The motion carried.

Councilman Neary made a motion to approve a bid award for the 90,000 Gallon Hydrovac Pit Project to Powder River Construction, Inc., in the amount of \$201,527; seconded by Councilman Carsrud. Administrator Davidson explained the consideration. All voted aye. The motion carried.

Ordinance 1st Reading

**AN ORDINANCE OF THE CITY OF GILLETTE AMENDING CHAPTER FOURTEEN
TO INCLUDE A NEW SECTION TITLED “GAMES OF SKILL”
AND PROVIDING FOR AN EFFECTIVE DATE**

Councilman McLeland made a motion to approve the foregoing Ordinance on first reading; seconded by Councilman Carsrud. Administrator Davidson explained the consideration. John Wayne, Trustee of the Eagles, a non-profit fraternal organization, requested that non-profit organizations be exempted from the permitting fees involved with the wagering devices, which would allow those funds to be utilized for helping people in need. Mr. Wayne presented Council with a listing of charitable donations made by the Eagles since 2018. After the discussion, Councilmen Carsrud, Lundvall, McLeland, Montgomery, Neary, and Mayor Carter-King voted aye. Councilman Brown abstained. The motion carried.

Public Hearings and Considerations

Mayor Carter-King opened a public hearing for the renewal of retail, restaurant, bar & grill, limited club, microbrewery, winery, winery satellite, and resort licenses, and special malt beverage permit, for the 2020-2021 liquor licensing period. Administrator Davidson explained the renewal process. John Wayne, Trustee of the Eagles, expressed concern with the number of failed compliance checks. Administrator Davidson explained the process involved with failing a compliance check. Mayor Carter-King closed the public hearing.

Councilman Carsrud made a motion to approve the renewal of retail liquor licenses for the 2020-2021 liquor licensing period; seconded by Councilman Montgomery. Councilmen Carsrud, Lundvall, McLeland, Montgomery, Neary, and Mayor Carter-King voted aye. Councilman Brown abstained. The motion carried.

Councilman McLeland made a motion to approve the renewal of a microbrewery license to Big Lost Meadery, LLC, d.b.a. Big Lost Meadery, for the 2020-2021 licensing period, contingent upon meeting

production requirements as dictated by the Wyoming Liquor Division and Wyoming State Statute; seconded by Councilman Carsrud. Administrator Davidson explained the consideration. All voted aye. The motion carried.

Councilman Montgomery made a motion to approve the renewal of restaurant, bar & grill, limited club, microbrewery, winery, winery satellite, and resort licenses, and special malt beverage permit for the 2020-2021 liquor licensing period; seconded by Councilman Carsrud. Administrator Davidson explained the consideration. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing for allowing persons under the age of twenty-one (21) years to enter or remain in a microbrewery, winery, or winery satellite licensed building for the liquor licensing period April 1, 2020 to March 31, 2021. Administrator Davidson explained the request. Mayor Carter-King closed the public hearing.

Councilman Brown made a motion to allow persons under the age of twenty-one (21) years to enter or remain in a microbrewery, winery, or winery satellite licensed building for the liquor licensing period April 1, 2020 to March 31, 2021; seconded by Councilman Montgomery. All voted aye. The motion carried.

Mayor Carter-King opened a public hearing to consider allowing persons under the age of twenty-one (21) years to enter or remain until 2:00 a.m. in the licensed building for the establishment, Bar & Liquor, LLC, d.b.a. Grinners. City Administrator Davidson explained the request. Toni Bell, owner of Grinners, explained their business plan. Mayor Carter-King closed the public hearing.

Councilman Lundvall made a motion to allow persons under the age of twenty-one (21) years to enter or remain until 2:00 a.m. in the licensed building for the establishment, Bar & Liquor, LLC, d.b.a. Grinners; seconded by Councilman Carsrud. All voted aye. The motion carried.

Executive Session

Councilman Brown made a motion to move into an executive session to discuss litigation; seconded by Councilman Neary. All voted aye. The motion carried.

Adjournment

There being no further business to come before the Council, the meeting adjourned at 8:16 p.m. The next regularly scheduled meeting will be held on March 3, 2020, Council Chambers, City Hall.

This meeting can be viewed in its entirety at <http://www.gillettewy.gov/CityCouncilVideos.html>. Minutes can be viewed at <http://www.gillettewy.gov/CityCouncilMinutes.html>.

(S E A L)

Louise Carter-King, Mayor

ATTEST:

Cindy Staskiewicz, City Clerk
Publication Date: February 26, 2020